2006

CALL TO DUTY

230 YEARS OF SERVICE TO OUR NATION

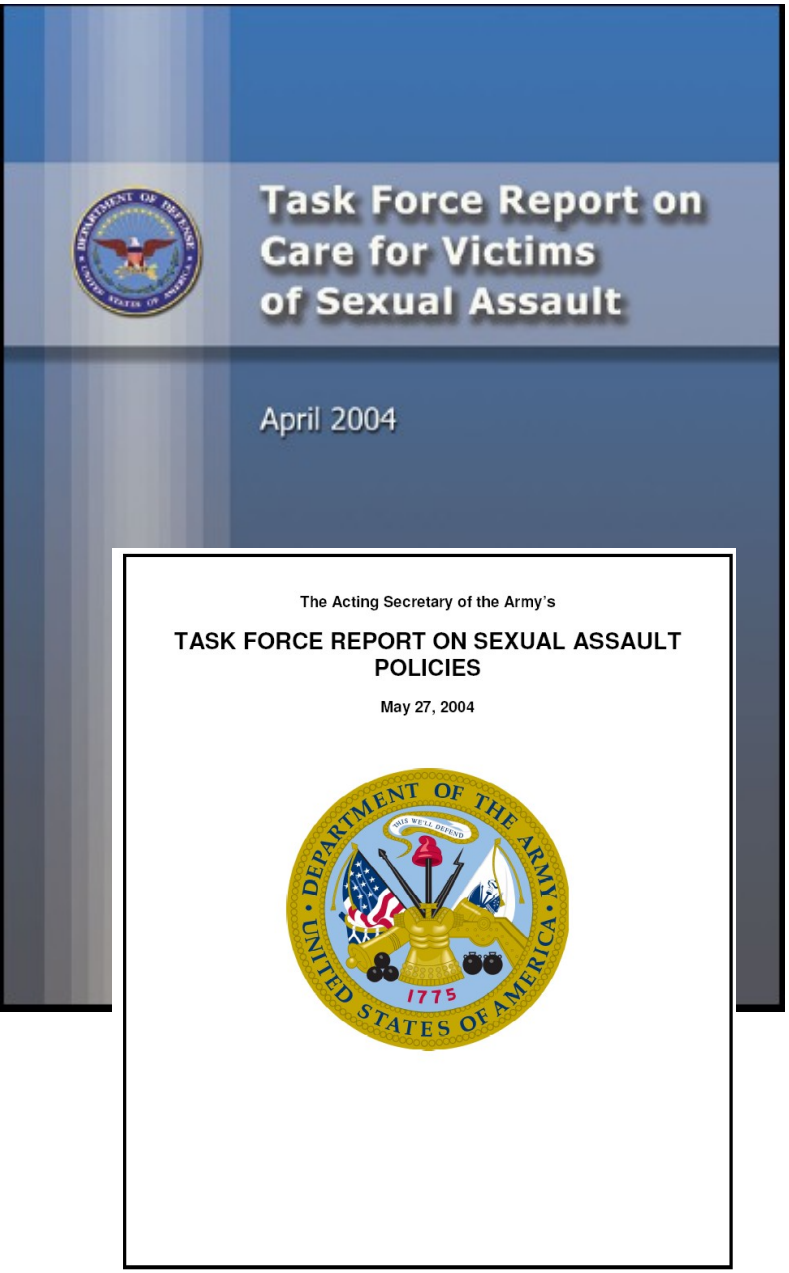
ARMY SEXUAL ASSAULT
PREVENTION AND RESPONSE PROGRAM (SAPR)

WARRIOR ETHOS
I WILL ALWAYS PLACE THE MISSION FIRST
I WILL NEVER ACCEPT DEFEAT
I WILL NEVER QUIT
I WILL NEVER LEAVE A FALLEN COMRADE
CALL TO DUTY
BOOTS ON THE GROUND

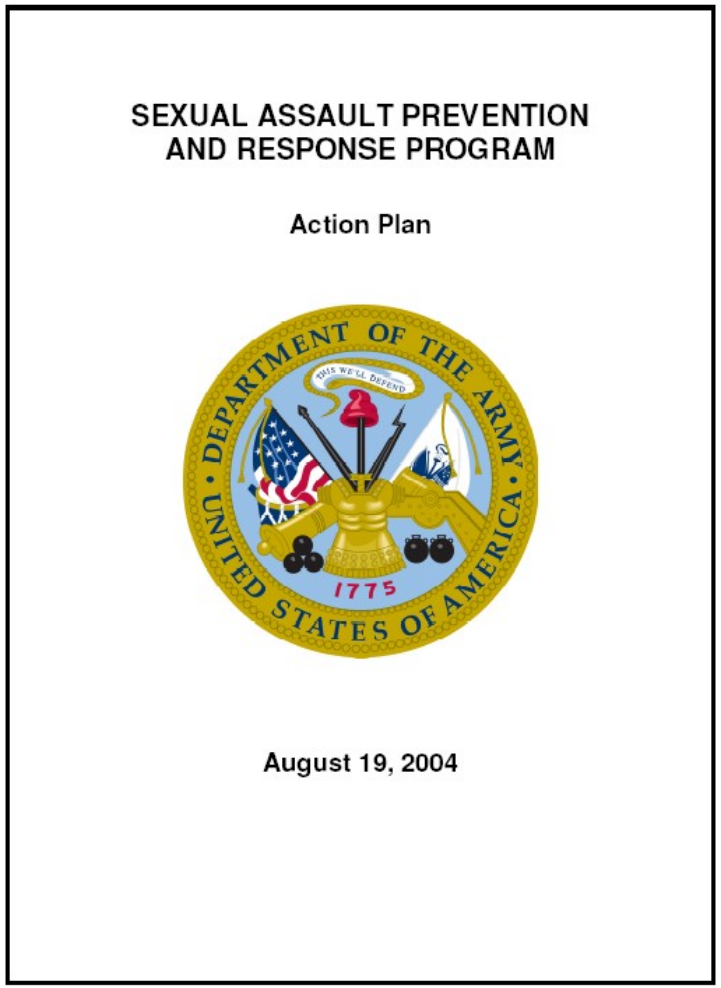
Sexual Assault Prevention and Response (SAPR) Program Update

Pre-Deployment Training

DA Policy Drivers


Task Force Report on
Care for Victims
of Sexual Assault
April 2004
The Acting Secretary of the Army's
TASK FORCE REPORT ON SEXUAL ASSAULT POLICIES
May 27, 2004

FY04: DoD & DA Task Force Reports



- Create a **policy** and **training**.
- Establish SAPR **program**
- Establish a **system** for documentation, **program assessment, reporting, and program improvement**

Programs Purpose

Eliminate incidents of sexual assault through a comprehensive program that centers on:

- **Awareness and prevention**
- **Training and education**
- **Reporting**
- **Response**
- **Victim advocacy**
- **Accountability**

Army Policy on Sexual Assault

Sexual assault is a criminal offense that has no place in the Army.

It degrades mission readiness by devastating the Army's ability to work effectively as a team…..

It is incompatible with the Army Values and is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws…

The Army will treat all victims of sexual assault with dignity, fairness, and respect.

AR 600-20, Paragraph 8-2

Army Values vs. Sexual Assault

Army Values

- **L** oyalty
- **D** uty
- **R** espect
- **S** elfless Service
- **H** onor
- **I** ntegrity
- **P** ersonal Courage

Sexual Assault

- Is a selfish act
- Breaks down the ability to work effectively as a team
- Shows a lack of respect for others
- Is a criminal offense
- Is punishable under UCMJ
- Violates every Army Value

Warrior Ethos vs. Sexual Assault

Warrior Ethos

- I will always place the mission first
- I will never accept defeat
- I will never quit
- I will never leave a fallen comrade

Sexual Assault

- Degrades mission readiness by impacting unit cohesion
- Is a cowardly act perpetrated by those who have given up on the Army Values
- Is an act carried out by individuals without a moral compass
- Erodes the bond that makes Soldiers willing to die for one another

Soldier’s Creed vs. Sexual Assault

Soldier’s Creed

- I am a Soldier and a member of a team. I serve the people of the United States and live the Army Values
- I am disciplined, physically and mentally tough, trained and proficient in my Soldier tasks and drills. I always maintain my arms, my equipment and myself
- I am an expert and I am a professional
- I stand ready to deploy, engage, and destroy the enemies of the United States of America in close combat
- I am a guardian of freedom and the American way of life
- I am an American Soldier

Sexual Assault

- Breaks down the ability to work effectively as a team
- Represents a lack of discipline
- Is not a professional behavior
- Degrades readiness
- Contradicts American values

Policy Overview – Current Policy

DoD Policy Changes:

- DoD Directive (DoDD 6495.01) (Oct 05)
- DoD Instruction (DoDI – 6495.02 - SAPR Program Procedures signed June 23, 2006)

DA Policy Changes:

- Army Policy Proponent: G1
- Sexual Assault Prevention and Response (SAPR) Program
- Chapter 8, AR 600-20 (Army Command Policy) – Released FEB 06

SEXUAL ASSAULT DEFINED

- Sexual assault is a crime
- Sexual assault is intentional sexual contact, characterized by use of force, physical threat, or abuse of authority, when the victim does not or cannot consent.
- Sexual assault includes rape, nonconsensual sodomy (oral or anal), indecent assault (unwanted, inappropriate sexual contact or fondling) or attempts to commit these acts.
- "Consent" shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, threat of force, coercion or when the victim is asleep, incapacitated, or unconscious.
- It is incompatible with the Army Values and is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws.
- Every Soldier who is aware of a sexual assault, <u>should</u> immediately (within 24 hours) report incidents of sexual assault.

SAPR Program Policy Highlights

- **Authority** withheld to **Battalion Commander**
- **Annual SAPR Awareness Training** for all Soldiers and Civilian supervisors of Soldiers
- Same gender **sponsors** for **first term Soldiers**
- Requires training at all levels of **PME** and **special training** for all **first responders**
- Requires **pre and post deployment training**
- Recommends delaying action on **collateral misconduct**
- Allows victim to request a **transfer** or administrative separation (these actions are not automatic; victim must request and chain of command makes the ultimate decision)
- Requires **administrative separation** for persons convicted in state and foreign courts and for those convicted in courts martial and not subsequently discharged
- Requires the **establishment** of a **victim advocate program**
- **Confidentiality** (Restricted/Unrestricted Reporting Options)

Soldiers Prevention of Sexual Assault

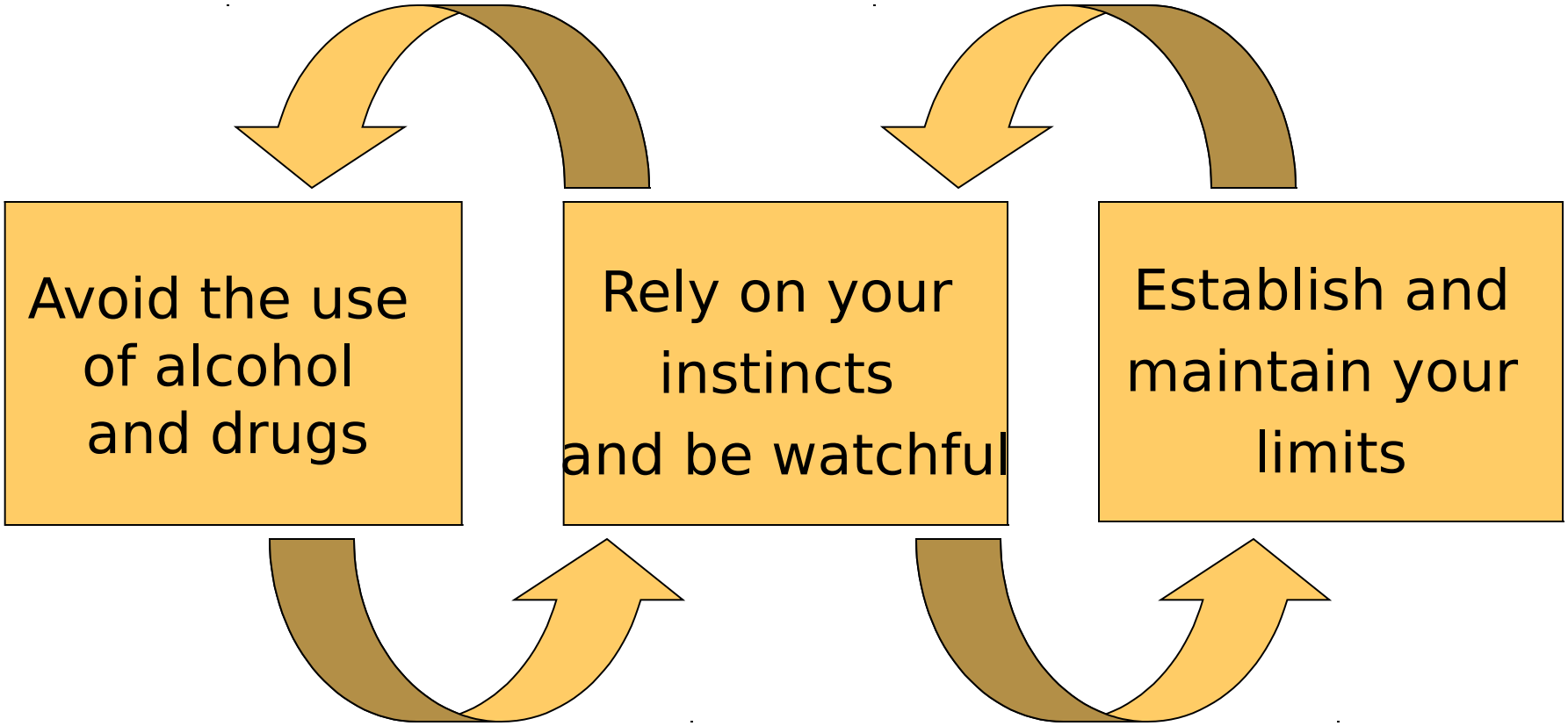
SAPR Program – Soldier Impact

- Sexual assault is a criminal offense that is punishable
- Use training, education, and awareness to prevent sexual assault
- Promotes sensitive handling of victims of sexual assault
- Requires aggressive, timely and thorough investigations
- Hold those who commit sexual assault offenses accountable
- Treat all victims with dignity, fairness, and respect
- Create and promote a positive command climate

WHERE DOES SAPR POLICY APPLY?
EVERYWHERE!

- **Both on and off post**
- **During duty and non-duty hours**
- **To work, living and recreational environments**

Sexual Assault Prevention



Risk Factors

Current sexual assault trend data shows that:

- The majority of military victims are 20-24 year-old females in ranks PVT-SPC
- Most military alleged perpetrators are 20-24 year-old males in ranks PVT-SPC
- Most military sexual assaults occur in Soldier living areas, such as barracks
- More than half of sexual assault cases involve alcohol use

Source: Task Force Report on Sexual Assault Policies, dated 27 May 2004

Sexual Assault Prevention & Response

Soldier Should Be:

- **Alert**
- **Safe**
- **Assertive**
- **Prepared**

NOTE:
Most sexual assault victims know and/or trust their offenders before the assault

REMEMBER NO MEANS NO!

You should:

- Use the buddy system – look out for each other
- Report inappropriate behavior immediately
- Practice the Army Values
- Never leave a fallen comrade

Reporting Options

Restricted and Unrestricted Reporting

Rights of the Victim & Alleged Offender

Soldiers Who Are Sexually Assaulted

If you are sexual assault:

- Go To A Safe Place
- Contact The Appropriate Authorities – Know Reporting Options
- Do Not Destroy Evidence
- Seek Assistance

<u>Soldier's Responsibility Toward Victim:</u>

- Listen to the victim and take the allegations seriously
- Do not make judgments about the victim or the alleged offender
- Encourage the victim to report the crime
- Support the victim and show respect
- Demonstrate empathy by concentrating on helping your friend, fellow soldier, or colleague
- Protect victim's confidentiality

Purpose of Victim's Reporting Options

- Ensure victims receive medical, counseling and advocacy services
- Remove barriers:
  - Perceived lack of privacy/confidentiality
  - Embarrassment/stigma
  - Fear of reprisal from offender
  - Lack of confidence in chain of command
  - Fear of repercussions regarding collateral misconduct
  - Concern about how report will affect their career, unit, and the mission
- Build victim's trust in system to increase reporting

Confidentiality & Reporting

Policy Effective 14 JUN 05: Two Types Of Sexual Assault Reporting C

- **Restricted Report**
  - Victim's choice
  - Confidential Sources – Do Not Report SA Crime to PM or CMD
    - Medical Treatment
      - Optional Forensic Exam
      - Forensic Exam and Evidence collection
    - Chaplain
    - Victim Advocate
    - SARC
  - Confidential Exceptions Exist
  - No Cdr Actions
  - PM/CID can launch Independent Invest.

- **Unrestricted Report**
  - Victim's choice
  - Provide Information
    - Medical Treatment
    - Forensic Exam
    - CID Investigation
    - Victim Witness
    - JAG
    - Chaplain
  - Cdr Actions: MPO, Separation, Criminal Invest., Offender held accountable

Reporting Options: Restricted

Restricted Reporting

- Option provides victim:
  - Confidential disclose the crime to specifically identified individuals
  - Medical treatment and counseling
  - Does not trigger an official investigative

- Per policy, victim can only report the assault to:
  - Sexual Assault Response Coordinator (SARC)
  - Victim Advocate (VA)
  - Healthcare provider
  - Chaplain - policy is in addition to the current chaplain privileged communications, and does not alter or affect those protections

Healthcare providers care and treatment and conduct a sexual assault forensic examination (SAFE), which may include the collection of evidence.

Per victims approval, health provider and chaplain reports the sexual assault to the SARC (or DSARC in Theater environment)

Reporting Options: Restricted

Who May Make A Restricted Report

- Restricted reporting is available at this time only to military personnel of the Armed Forces and the Coast Guard.

- Military personnel include members on active duty and members of the Reserve component (Reserve and National Guard) provided they are performing federal duty (active duty training or inactive duty training and members of the National Guard in Federal (Title 10) status).

- Members of the Reserve Component not performing Federal duty are not eligible.

- Retired members of any component are not eligible.

- Dependents are not eligible.

- Department of Defense civilian employees are not eligible.

Reporting Options: Restricted

Considerations when Electing a Restricted Report

- Receive appropriate medical treatment, advocacy, and counseling
- Provides some personal space and time
- Information and support in deciding whether to participate in criminal investigation
- Control the release and management of personal information

Limitations

- Alleged perpetrator remains unpunished and capable of assaulting other victims
- Cannot receive a military protective order (MPO)
- May continue to have contact with offender
- Evidence from the crime scene where the assault occurred may be lost, and the official investigation (if restricted report is changed to unrestricted report) will likely encounter significant obstacles
- Not able to discuss assault with anyone except authorized

Reporting Options: Unrestricted

Army's preference is unrestricted reporting of sexual assaults to allow:

- Ensure Victim receives protection and support services
- Pursuit of criminal actions against alleged offender
- Commanders may delay collateral misconduct against victim
- Commanders may issue MPO and/or more victim or alleged offender

Option for victims of sexual assault who desire:

- Medical treatment
- Counseling
- Official investigation of the crime

- Use current reporting channels:
  - Chain of command
  - Law enforcement
  - Sexual Assault Response Coordinator (SARC or DSARC)
  - Request healthcare providers to notify law enforcement

- SARC will assign a Victim Advocate (Installation (IVA) or Unit (UVA))

- Victim's discretion/request: healthcare provider shall conduct a sexual assault forensic examination (SAFE), which may include

Reporting Options: Unrestricted

Unrestricted Reporting Information

- DTG and location
- Name and relation to incident or victim
- Victim’s name and current location
- Injuries and medical needs
- Who is assisting the victim
- Identity or description and location of alleged of

Rights : Victim's – Alleged Offender's

Victims Rights:

- Opt for restricted or unrestricted reporting
- To be protected and treated fair and with respect
- To be Notified and present at all court proceedings
- Seek and obtain information on case pending

Alleged Offenders Rights:

- Legal counsel
- Assumed innocent until proven guilty
- Fair Trial
- Privacy and confidentiality
- Protected from false

Legal Sanctions

Sexual Assault is punishable under UCMJ:

- Sexual assault includes such offenses as rape, forcible sodomy and indecent assault.

- Depending upon the offense and the circumstances of the offense, the maximum punishments include:
  - Death
  - Confinement for life without eligibility for parole
  - Confinement for life with eligibility for parole
  - Confinement for a period of years (for example 5 years)
  - Total loss of all pay and allowances
  - Dishonorable discharge (enlisted Soldiers only)
  - Bad conduct discharge (enlisted Soldiers only)
  - Dismissal from the service (commissioned officers only)
  - Reduction to E-1 (enlisted Soldiers only.)

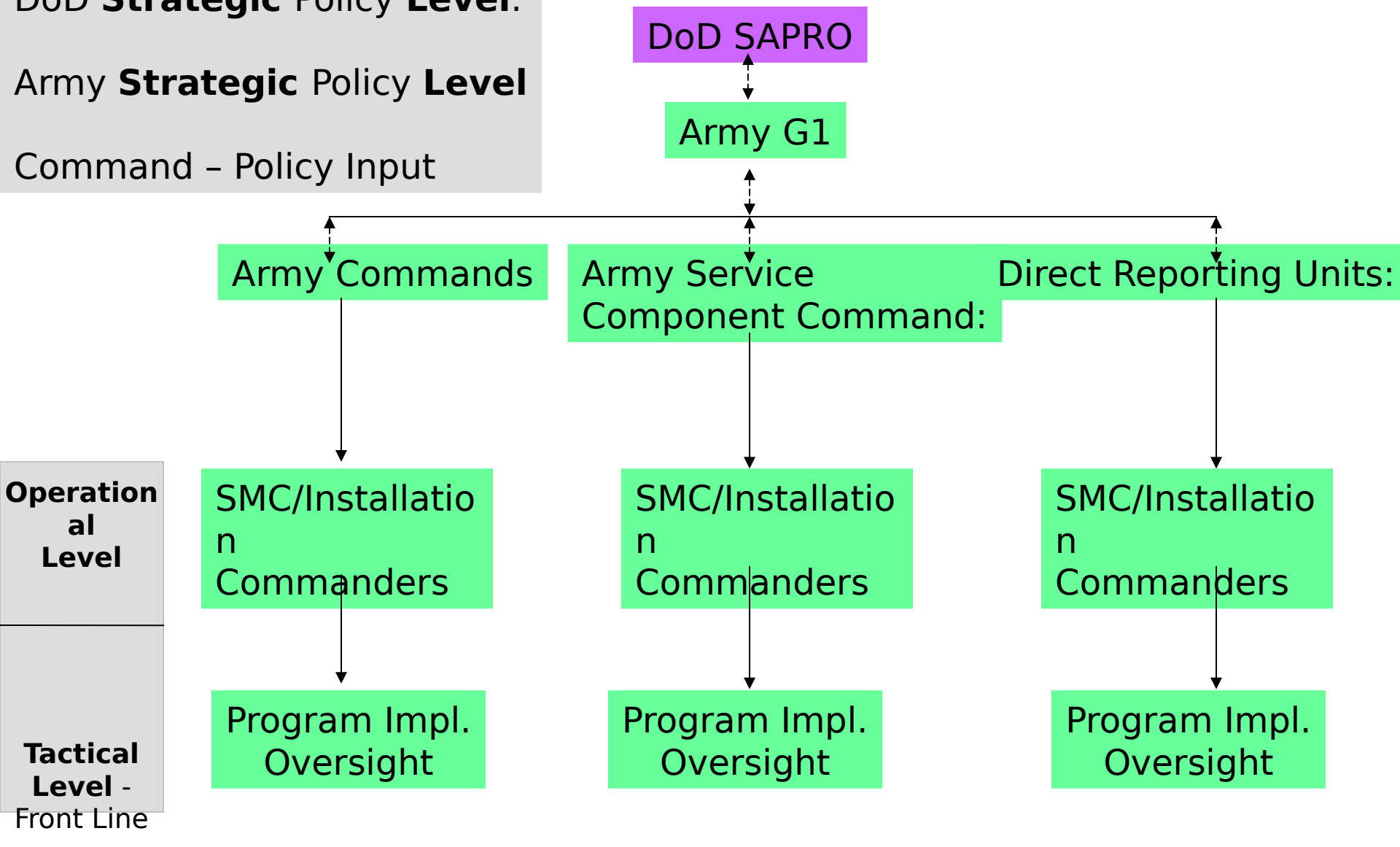
Command Policy Implementation

Command – SAPR Implementation

DoD **Strategic** Policy **Level**:

Army **Strategic** Policy **Level**

Command – Policy Input

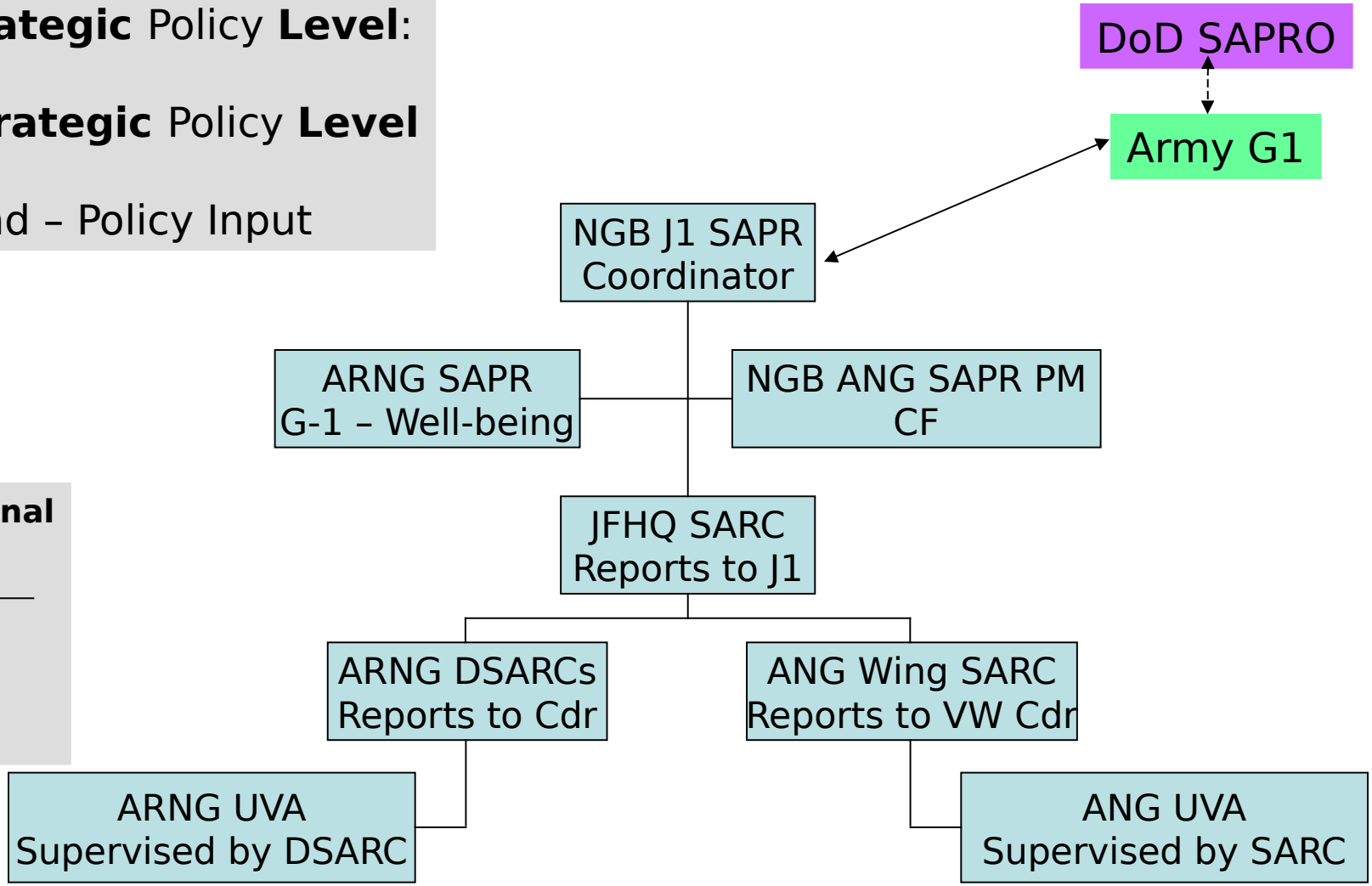


National Guard Bureau (NGB) - SAPR Implementation

DoD **Strategic** Policy **Level**:

Army **Strategic** Policy **Level**

Command – Policy Input


DoD SAPRO
Army G1
NGB J1 SAPR Coordinator
ARNG SAPR G-1 – Well-being
NGB ANG SAPR PM CF
JFHQ SARC Reports to J1
ARNG DSARCs Reports to Cdr
ANG Wing SARC Reports to VW Cdr
ARNG UVA Supervised by DSARC
ANG UVA Supervised by SARC

Operational Level

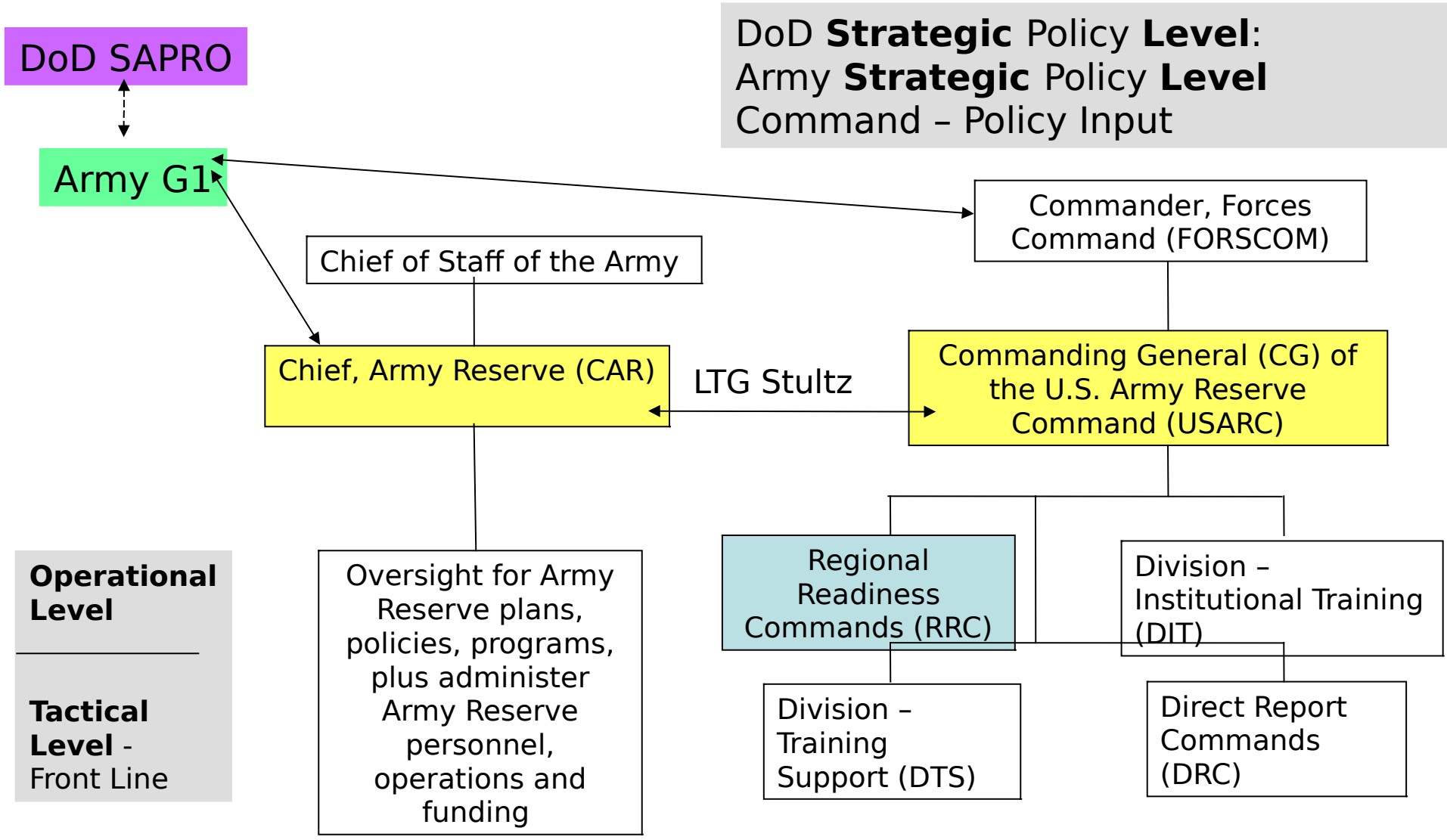
Tactical Level - Front Line

NGB – SAPR Implementation Issues

Restricted Reporting Option

- Objective to improve reporting of sexual assault
- Reviewed by NGB for possible implementation
- DoD, Army and Air Force guidance specific to Title 10/AF Interim policy excludes Title 32
- Federal Jurisdiction vs. State Jurisdiction
- Entitlements based on duty status
- Resources and references (Federal, State, local, civilian programs)
- LOD (Line of Duty) Requirements for continued SAPR services – Proposed policy currently being staffed

US Army Reserve – SAPR Implementation


DoD SAPRO
DoD **Strategic** Policy **Level**:
Army **Strategic** Policy **Level**
Command – Policy Input
Army G1
Commander, Forces Command (FORSCOM)
Chief of Staff of the Army
Chief, Army Reserve (CAR)
LTG Stultz
Commanding General (CG) of the U.S. Army Reserve Command (USARC)
Operational Level
Tactical Level - Front Line
Oversight for Army Reserve plans, policies, programs, plus administer Army Reserve personnel, operations and funding
Regional Readiness Commands (RRC)
Division – Institutional Training (DIT)
Division – Training Support (DTS)
Direct Report Commands (DRC)

Sexual Assault Prevention and Response Training

Training and Doctrine Command (TRADOC) TRAINING SUPPORT PACKAGE (TSP) DEVELOPMENT

7 Levels

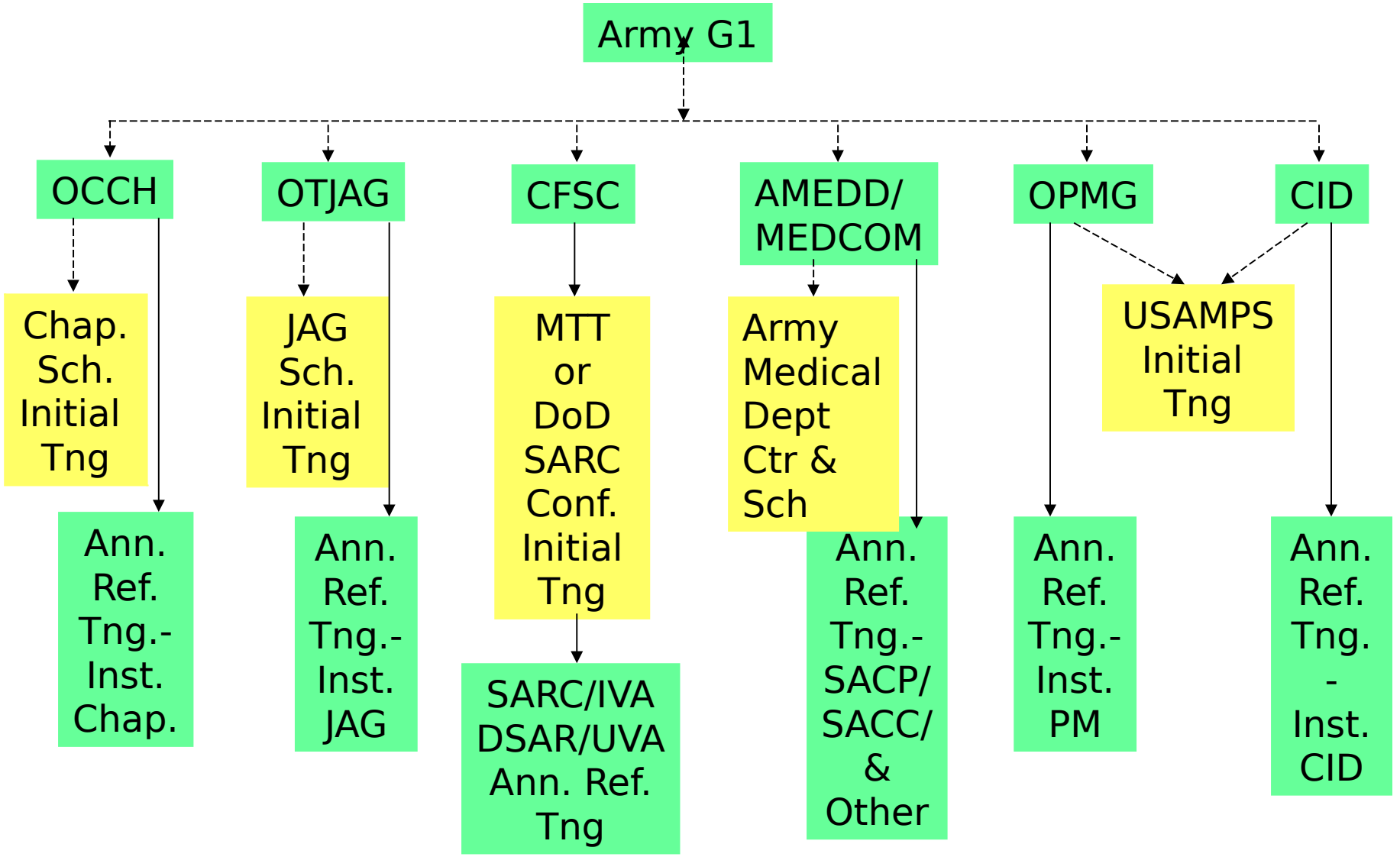
TSPs required for seven levels, defined as follows:

BCT – Soldier entry
BOLC I – Officer pre-commissioning
Drill SGT/Instructor, DSS, RRS
New Leader Level (PLDC, WOBC, BOLC II)
Intermediate Leader Level (BNCOC, WOAC, CCC)
Senior Leader Level (SMC, 1SG, PCC, ILE, AWC, CAPSTONE)

Unit Refresher Training – Utilized for Annual, Pre-Deployment and Post-Deployment

NOTE:
Developed SEP 04 – Incorporated in course POIs for classes starting after 30 NOV 05

SAPR Training – 1st Responder Initial & Annual Refresher Req.



Sexual Assault Prevention and Response Roles & Responsibilities

Victim Advocacy Component

- Commanders/Installation Commanders (IC) must ensure that victims have access to:
  - Well-coordinated, highly responsive sexual assault victim advocacy program
  - Available 24 hours per day/7 days per week
  - In both in garrison and in a deployed environment
  - Establish an active Sexual Assault Review Board (**SARB**)

- Victim's use of advocacy services is optional

Installation Civilian/Contract Proponents:

Installation Sexual Assault Response Coordinators (SARCs):

Designated Installation program manager of victim support services

Coordinates and oversees implementation and execution of the SAPR Prog.

Installation Victim Advocates (IVAs):

DA civilian/contract employees trained to provide advocacy services to victims of sexual assault (majority contracted thru CFSC).

Knowledgeable of, maintains contact with, and well versed in procedures for accessing service agencies and confidentiality policies

Military Proponents: Applicable to ALL ARMY UNITS.

32 hours of instruction annually for all military SARC/UVA (provided by Inst. SARC).

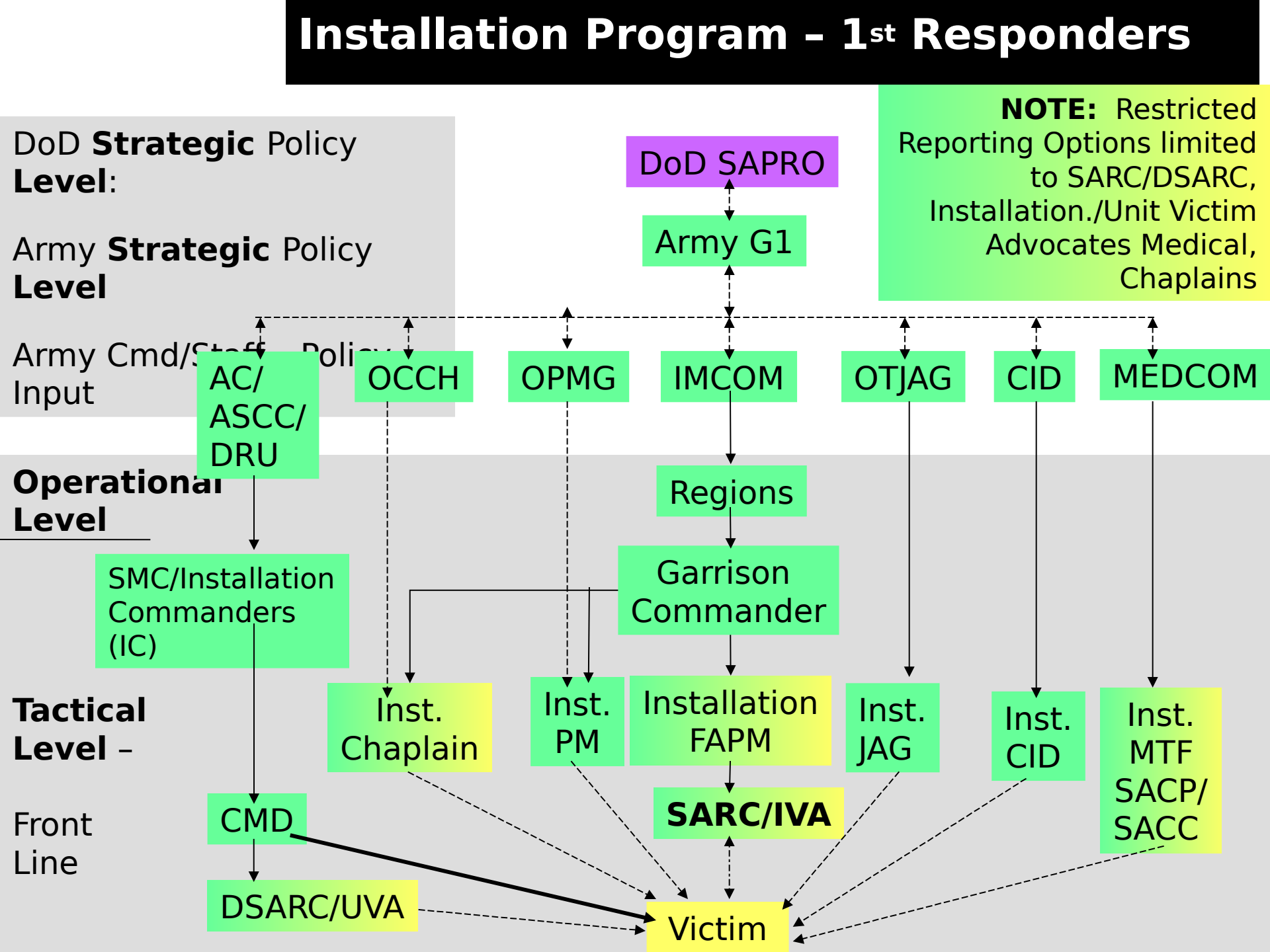
Deployable SARC:

- Assumes SARC duties during deployments.
- BDE sized units or higher will designate and train one Soldier (NCO: SFC or higher; Officer: MAJ/CW3 or above) or civilian (GS-11 or higher) to be a deployable SARC.

Unit Victim Advocates (**UVA**s – 2 ea. per BN)

- NCO: SSG or higher; Officer: 1LT/CW2 or above) or civilians (GS-9 or above) to serve as UVAs in garrison and while deployed
- Appointed on orders
- Trained to perform collateral duties in support of victims of sexual assault
- Provide crisis intervention, referral, and ongoing non-clinical support to the sexual assault

Installation Program – 1st Responders

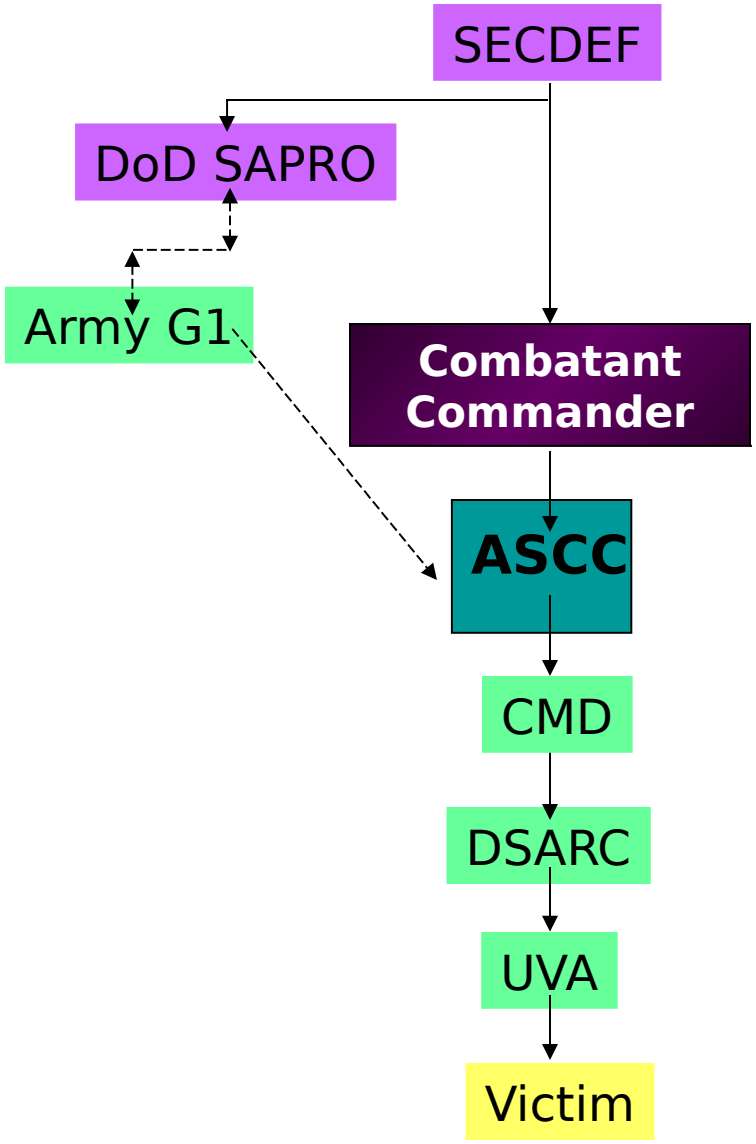


SAPR Implementation in the Deployed Environment

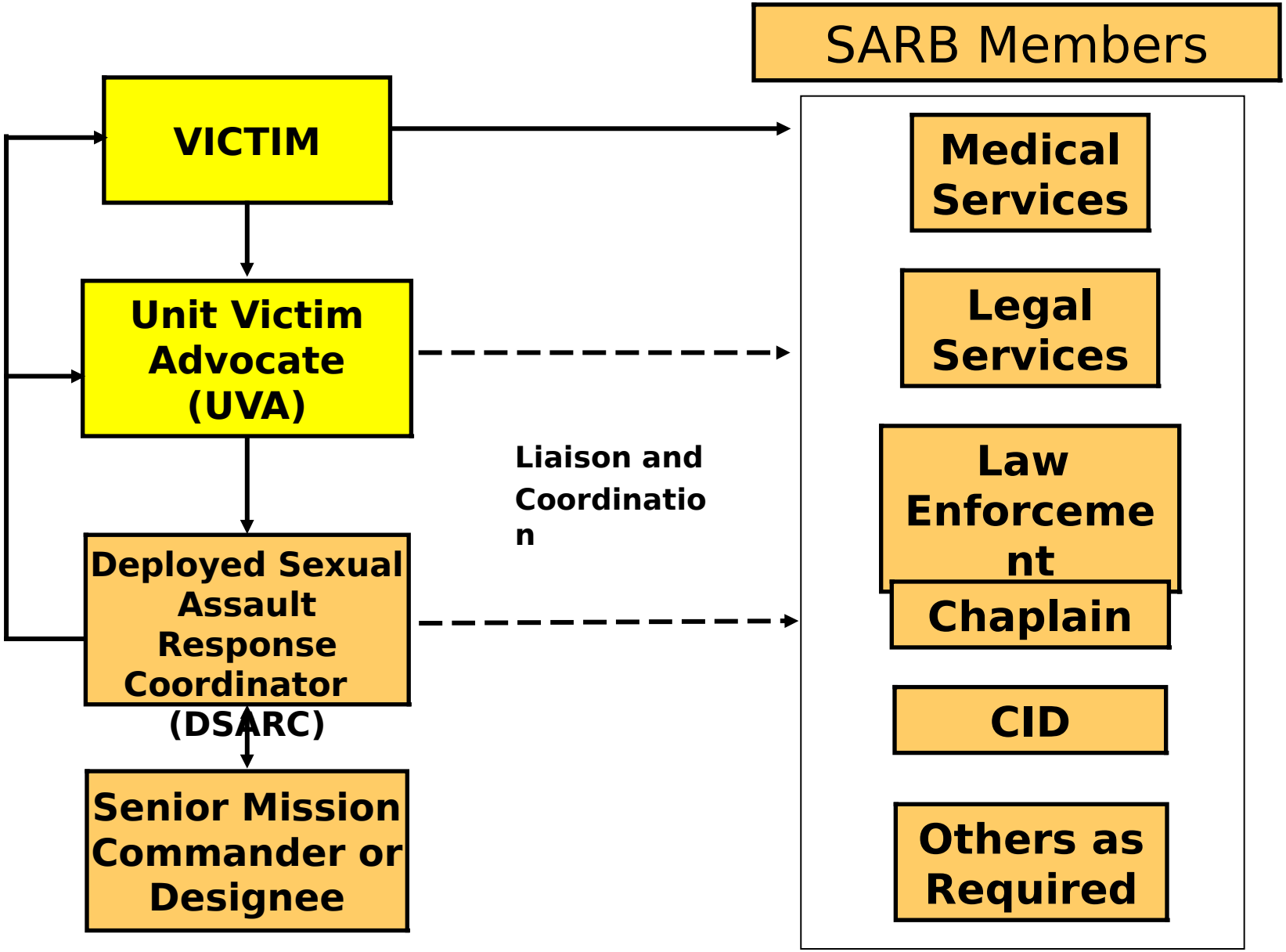
AC and RC - Deployed Environment SAPR Policy and Program Implementation

Training Materials:

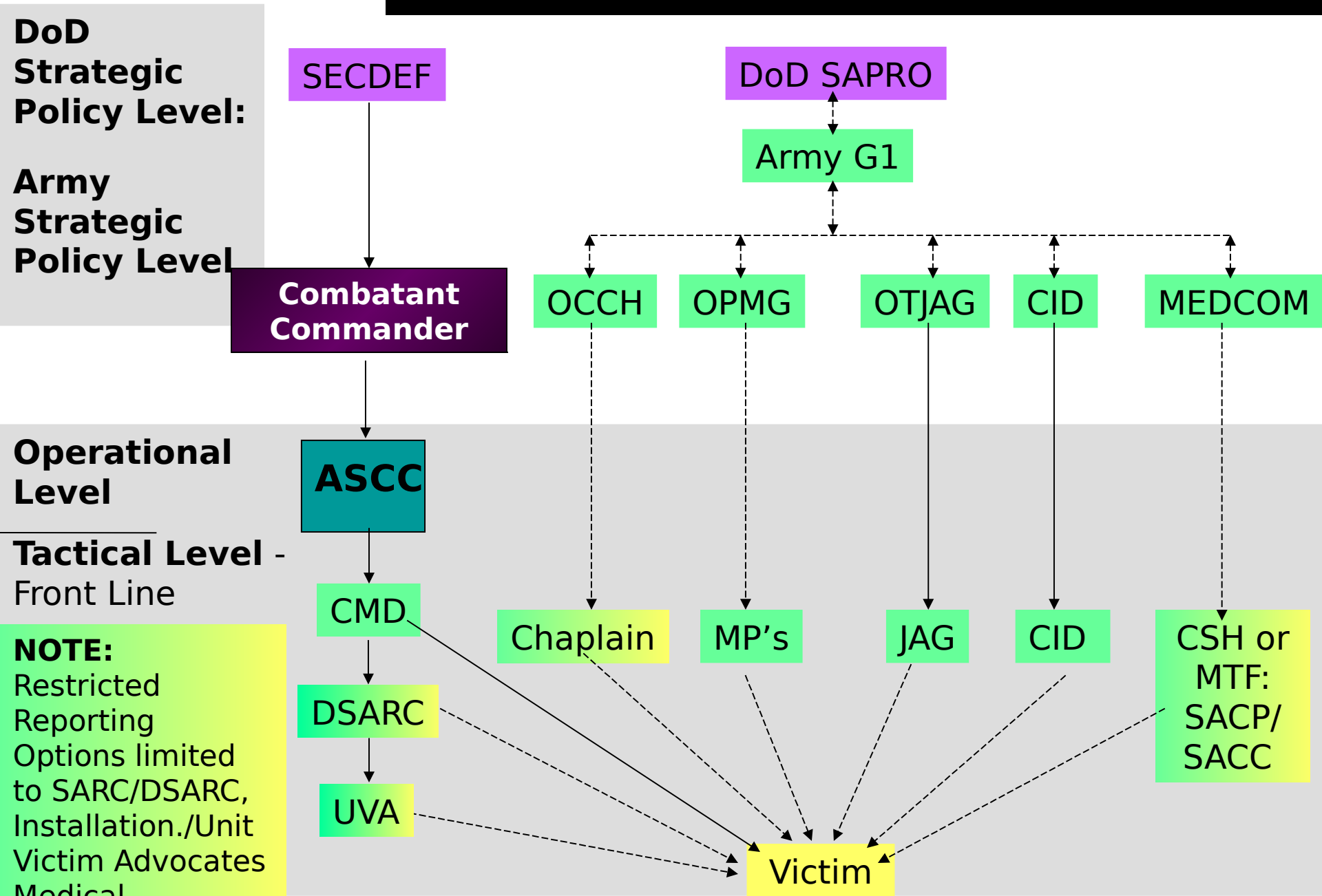
- CFSC Provides to IMA/THEATER/Contractor for DSARC/UVA Training
- USNG Conducts NGB SARC/DSARC Training
- USAR Conducts SARC/DSARC Training
- Chaplain/JAG/MEDCOM 1st Responders thru DA Proponent



SARB Theater: Senior Mission Commander Case and Procedures Reviews



Theater Program – 1st Responders



SAPR Program - Theater

SENIOR MISSION COMMANDER or DESIGNATED REPRESENTATIVE

Brigade or higher level Army Commander. Responsible for the SARB.

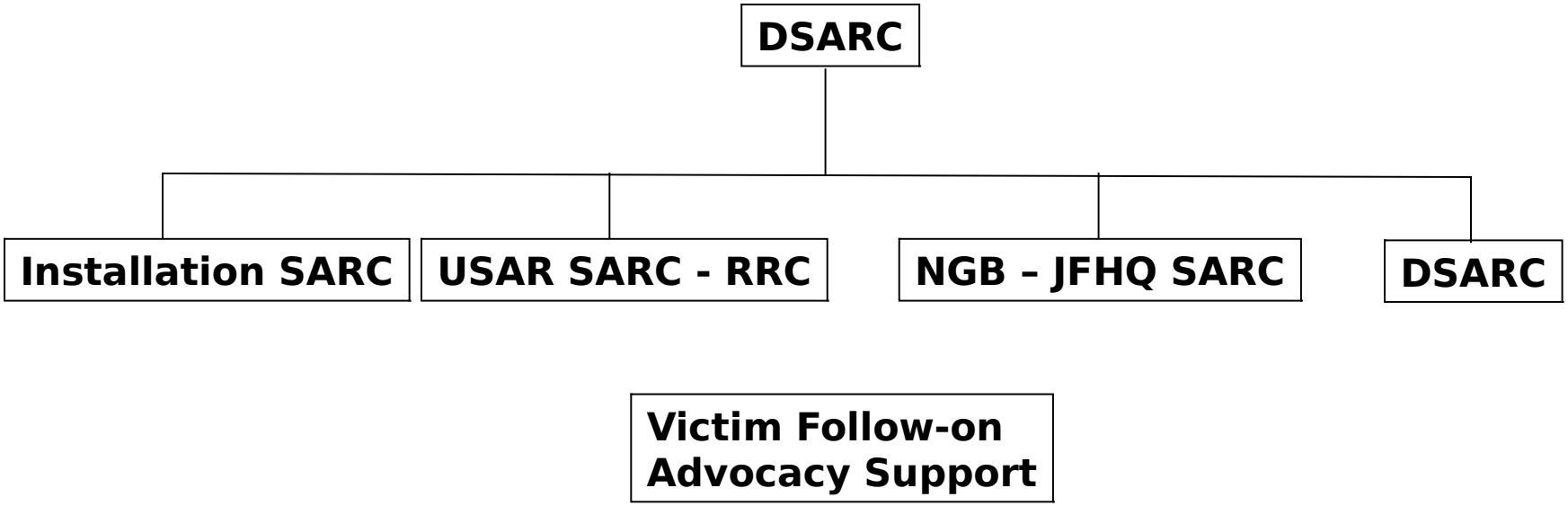
DSARC

- Trained Soldier assigned to co-lateral duty as Deployable SARC (Brigade and higher)
- Works for the Senior Mission Commander
- Provides sexual assault crisis management and response
- Assigns UVA to the victim, as appropriate, and coordinates directly with the UVA and Theater sexual assault response capabilities

UVA

- Trained Soldier assigned to collateral duty (two per Battalion)
- Provides victim support, reports status to immediate Chain of Command and coordinates directly with the DSARC
- Explains the scope/limitation of the advocate and provides information on victim rights and options. Provides support throughout the medical, investigative, and judicial process.

DSARC Warm Hand-Off of Victim Advocacy CONUS Proponent

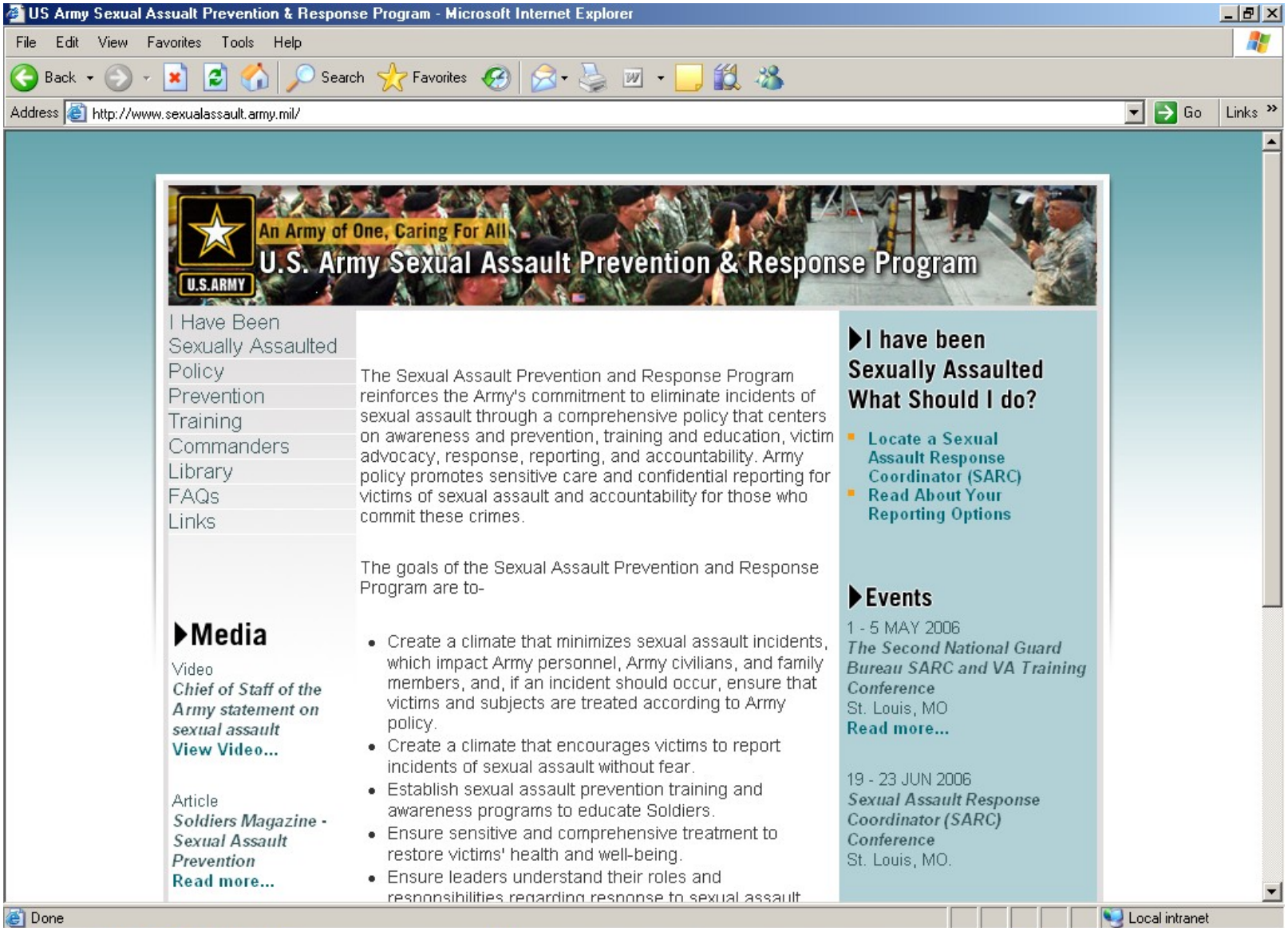


- Obtains victim's consent prior to assigning a new SARC
- Reassures victim of continued advocacy support
- Contacts new SARC and briefs him/her on the case
- Requests victims permission to follow-up with him/her to ensure smooth transition
- Ensures appropriate documentation and reporting of transfer
- Re-deployment of victim to Mob site or home station may require continued medical treatment

G-1 SAPR Program Website

www.sexualassault.army.mil

Army SAPR Program Website
www.SexualAssault.Army.Mil


US Army Sexual Assualt Prevention & Response Program - Microsoft Internet Explorer
File Edit View Favorites Tools Help
Back Search Favorites
Address http://www.sexualassault.army.mil/
Go Links
An Army of One, Caring For All
U.S. ARMY
U.S. Army Sexual Assault Prevention & Response Program
I Have Been Sexually Assaulted
Policy
Prevention
Training
Commanders
Library
FAQs
Links
The Sexual Assault Prevention and Response Program reinforces the Army's commitment to eliminate incidents of sexual assault through a comprehensive policy that centers on awareness and prevention, training and education, victim advocacy, response, reporting, and accountability. Army policy promotes sensitive care and confidential reporting for victims of sexual assault and accountability for those who commit these crimes.
The goals of the Sexual Assault Prevention and Response Program are to-
Create a climate that minimizes sexual assault incidents, which impact Army personnel, Army civilians, and family members, and, if an incident should occur, ensure that victims and subjects are treated according to Army policy.
Create a climate that encourages victims to report incidents of sexual assault without fear.
Establish sexual assault prevention training and awareness programs to educate Soldiers.
Ensure sensitive and comprehensive treatment to restore victims' health and well-being.
Ensure leaders understand their roles and
I have been Sexually Assaulted What Should I do?
Locate a Sexual Assault Response Coordinator (SARC)
Read About Your Reporting Options
Events
1 - 5 MAY 2006
The Second National Guard Bureau SARC and VA Training Conference
St. Louis, MO
Read more...
19 - 23 JUN 2006
Sexual Assault Response Coordinator (SARC) Conference
St. Louis, MO.
Media
Video
Chief of Staff of the Army statement on sexual assault
View Video...
Article
Soldiers Magazine - Sexual Assault Prevention
Read more...
Done
Local intranet

Questions

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